

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**



INVENTOR(S) : Richard Bruce et al.  
TITLE : APPARATUS AND METHOD FOR  
DETECTING AND LOCATING RARE  
CELLS  
APPLICATION NO. : 10/616,366  
FILED : July 9, 2003  
CONFIRMATION NO. : 2319  
EXAMINER : Unknown  
ART UNIT : 2621  
LAST OFFICE ACTION : None  
ATTORNEY DOCKET NO. : A2247-US-CIP  
XERZ 2 00563-3

**2d SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, 1.98 and MPEP § 609, applicant(s) submit(s) the following Disclosure Statement concerning art of which the applicant(s) is(are) aware. A copy of PTO/SB/08 Form (renumbered from PTO 1449) is enclosed.

This Information Disclosure Statement is not intended to constitute an admission that any patent, publication or other information referred to herein or submitted herewith is "prior art" for this invention unless specifically designated as such.

In accordance with the United States Patent and Trademark Office OG Notice dated 05 August 2003, waiving the requirement under 37 C.F.R. §1.98(a)(2)(i), for

submitting a copy of each cited U.S. patent and U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003, Applicant(s) has not enclosed copies of the cited U.S. patents and applications with this Disclosure.

In accordance with 37 C.F.R. §1.97(g) and (h), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

Under § 1.98(a)(3), no concise explanation of relevance is required for information that is in the English language. Accordingly, the enclosed art requires no further explanation (or no translation is available).

Consideration of the appropriate paragraph(s) indicated below is respectfully requested:

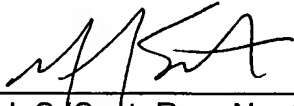
☒ BEFORE FIRST OFFICE ACTION: Under § 1.97(b)(3), this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. Although it is believed no fee is necessary, any deficiency in fees should be handled as set forth below.

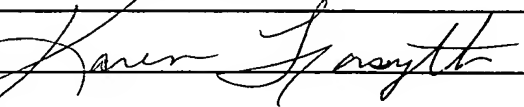
Any payment due for the filing of this Information Disclosure Statement is authorized to be charged to Deposit Account No. 24-0037.

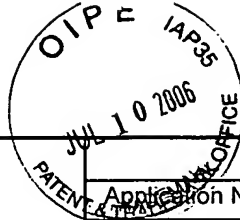
Respectfully submitted,

FAY, SHARPE, FAGAN,  
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July 6, 2006  
Date

  
Mark S. Svat, Reg. No. 34,261  
1100 Superior Avenue, Seventh Floor  
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Express Mail Label No.:	Signature: 
Date: 7-6-06	Name: Karen M. Forsyth



Substitute for form 1449A/PTO		<b>Complete if Known</b>	
2d Supplemental <b>INFORMATION DISCLOSURE                  STATEMENT BY APPLICANT(S)</b>		Application Number	10/616,366
		Filing Date	July 9, 2003
		First Named Inventor	Richard H. Bruce et al.
		Art Unit	2621
		Examiner Name	Unknown
Sheet 1 of 1		Attorney Docket No.	A2247-US-CIP (XERZ 2 00563-3)

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Document No. Number-Kind Code (if known)	Publication/Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-2002/0177885A1	11-28-2002	Eisfeld et al.	
	AB	US-2001/0046712A1	11-29-2001	Hang et al.	
	AC	US-5,220,617 A	06-15-1993	Bird et al.	
	AD	US-4,556,903 A	12-03-1985	Blitchington et al.	
	AE	US-5,651,047	07-1997	Moorman et al.	
	AF	US-6,636,623 B2	10-2003	Nelson et al.	
	AG	US-6,582,363 B2	6-2003	Adachi et al.	
	AH	US-5,315,993	05-1994	Alcala	
	AI	US-6,445,451 B1	09-2002	Douglas-Hamilton et al.	
	AJ				
	AK				
	AL				

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No.	Foreign Patent Document Country Code-Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
	AM					<input type="checkbox"/>
	AN					<input type="checkbox"/>
	AO					<input type="checkbox"/>
	AP					<input type="checkbox"/>

**OTHER NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume/issue number(s), publisher, city and/or country where published	T
	AQ	European Search Report, dated 4-5-06; EPC Application No. 05112479.0-2204; Examiner O. Brison, Berlin	<input type="checkbox"/>
	AR	European Search Report, dated 6-2-06; EPC Application No. 05112370.1-2204; Examiner D. D'Alessandro	<input type="checkbox"/>
	AS		<input type="checkbox"/>

Examiner Signature		Date Considered	
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